

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Respondent,

v.

NUBIAN TYE HIMBA AMON-RA,
Petitioner.

No. 2 CA-CR 2015-0444-PR
Filed April 22, 2016

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.24.

Petition for Review from the Superior Court in Cochise County

No. CR201200268

The Honorable James L. Conlogue, Judge

REVIEW GRANTED; RELIEF DENIED

Nubian T. Amon-Ra, Douglas
In Propria Persona

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MEMORANDUM DECISION

Presiding Judge Vásquez authored the decision of the Court, in which Chief Judge Eckerstrom and Judge Miller concurred.

V Á S Q U E Z, Presiding Judge:

¶1 Petitioner Nubian Amon-Ra seeks review of the trial court's order denying his petition for post-conviction relief, filed pursuant to Rule 32, Ariz. R. Crim. P. "We will not disturb a trial court's ruling on a petition for post-conviction relief absent a clear abuse of discretion." *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). Amon-Ra has not sustained his burden of establishing such abuse here.

¶2 After a jury trial, Amon-Ra was convicted of two counts of aggravated assault, and the trial court imposed enhanced, concurrent prison terms, the longer of which is 7.5 years. This court affirmed his convictions and sentences on appeal. *State v. Amon-Ra*, No. 2 CA-CR 2014-0021 (memorandum decision filed Sept. 15, 2014).

¶3 Amon-Ra thereafter sought post-conviction relief, and appointed counsel filed a notice stating she had reviewed the record but "identified no colorable claims" to raise in a Rule 32 proceeding. In a pro se, supplemental petition however, Amon-Ra argued he had received ineffective assistance of trial counsel, claimed the police department had committed "misconduct" in securing testimony against him, and raised a claim of prosecutorial misconduct. His arguments centered on a claim that his victim was "a paid informant." He contended a videotape recording of an interview with a police officer showed the victim stating "he wanted \$12,000 . . . for his testimony" and the recording was excluded at trial due to a "local rule." The trial court summarily denied relief in a thorough, well-reasoned minute entry.

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¶4 On review, Amon-Ra repeats his claims, and asks this court to “reverse and vacate” his convictions and sentences. We cannot say the court abused its discretion in denying the petition for post-conviction relief. The court clearly identified the claims Amon-Ra had raised and resolved them correctly in its minute entry, which we adopt. *See State v. Whipple*, 177 Ariz. 272, 274, 866 P.2d 1358, 1360 (App. 1993) (when trial court has correctly ruled on issues raised “in a fashion that will allow any court in the future to understand the resolution[, n]o useful purpose would be served by this court rehashing the trial court’s correct ruling in a written decision”).

¶5 Therefore, although we grant the petition for review, we deny relief.